

REMARKS

Claims 1-78 are now pending in the application. Claims 77-78 are new and are fully supported by the specification as filed. As such no new matter has been added. Minor amendments have been made to the Claims to simply overcome the objections to the Claims. The amendments to the Claims contained herein are of equivalent scope as originally filed and, thus, are not narrowing amendments. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant would like to thank the Examiner for courtesy extended during the interview on November 24, 2008. An agreement was not reached.

CLAIM OBJECTIONS

Claims 59-61, 65-71, 75 and 76 stand objected to for certain informalities. Applicant has amended Claims 59-61, 65-71, 75 and 76 in accordance with the Examiner's suggestions.

It is therefore believed that these objections are hereby overcome. The amendments to Claims 59-61, 65-71, 75 and 76 are of equivalent scope as originally filed and, thus, are not narrowing amendments.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-6, 9, 11-16, 18-26, 29, 31-36, 38-46, 49, 51-56, 58-64, 67, 69-74 and 76 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ambe et al. (U.S. Pat. No. 7,099,317) in view of Jain et al. (U.S. Pub. No. 2003/0079040).

Claims 8, 10, 28, 30, 48, 50, 66, and 68 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ambe, in view of Jain and further in view of Nozaki et al. (U.S. Pat. No. 6,950,431). These rejections are respectfully traversed.

With respect to Claim 1, Ambe and Jain do not show, teach or suggest at least a data-link layer switch controller that requests **generation of an entry in a bridge table based on an IP multicast destination address and an IP source address.**

As best understood by Applicant, Ambe creates an entry in an IP multicast table, and Jain creates an entry in a session table and/or a forwarding table. **Neither reference generates a bridge table entry based on an IP multicast destination address and an IP source address.**

Ambe includes a typical IP multicast table that includes IP multicast addresses. Resolution and forwarding of packets of Ambe are conducted through the IP multicast table. **Ambe does not include a bridge table that includes IP multicast destination addresses.** Bridge tables include data that is used by network bridges to connect multiple network segments at the data link layer (layer 2) of the OSI model. In other words, typical bridge tables include MAC address information and **not IP multicast destination address information.** As recognized by the Examiner, Ambe also does not include a controller that requests generation of entries in a table.

According to the Examiner, Jain includes generating a table entry. However, **Jain does not include generating a bridge table entry.** Instead, Jain is directed to separate forwarding tables and session entry tables. Jain includes "a forwarding table having forwarding entries that include a destination MAC address and an outgoing port index." Paragraph [0046] of Jain. In contrast,

The session table includes a session entry comprising a multicast source IP address, a destination IP address, an incoming port (i.e., I/O port 102 or neighboring switch interface 120), and protocol type as part of the explicit source lookup key, and outgoing port index being the result of lookup.

Paragraph [0053] of Jain. In other words, as is typical, Jain includes different tables that include entries for IP multicast data and MAC address data. Nowhere does Jain show, teach or suggest that the session table is used for network bridging or that it includes a bridge table. Further, the session table does not include entries based on IP **multicast destination** addresses, as does the bridge table of Claim 1. Instead, the session table simply includes IP destination addresses.

In contrast, Claim 1 includes a controller that requests generation of an entry in a bridge table based on IP multicast destination addresses and IP source addresses. Claim 1 therefore includes elements not found, shown, taught or suggested by Ambe and Jain.

It is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974), see MPEP §2143.03. Here, the Examiner fails to provide **any** reference to support a finding that generation of an entry in a bridge table based on an IP multicast destination address and an IP source address is obvious. Furthermore, when evaluating claims for obviousness under 35 U.S.C. §103, all of the limitations must be considered and given weight. *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), MPEP § 2144.03. Here, it is clear that the Examiner has given little or no consideration of the limitation **and failed to give the limitation any weight**.

Further, Jain includes a first table that includes entries for IP multicast data and a second table that includes entries for MAC address data, which is a teaching away from a bridge table including IP multicast destination address entries and MAC address entries, as in Claim 1.

It is improper to take teachings in the prior art out of context and give them meanings that they would not have to those skilled in the art. *In re Wright*, 9 USPQ.2d 1649 (Fed. Cir. 1989). It is impermissible to pick and choose from a reference only so much of it as will support a given position to the exclusion of other parts necessary to the full appreciation of what the reference fairly teaches to one skilled in the art. *Bausch & Lomb, Inc. v. Barnes-Hind, Inc.*, 230 USPQ 416 (Fed. Cir. 1986). Here, the Examiner ignores the fact that Jain does not include a table that has IP multicast destination address entries and MAC address entries and selects only parts of Jain that support his position while ignoring what Jain fairly teaches.

Therefore, Claim 1 is allowable for at least these reasons. Claims 21, 41 and 59 are allowable for at least similar reasons as Claim 1. Claims 2-6, 8-16, 18-20, 22-26, 27-36, 38-40, 42-46, 48-56, 58 60-64, 66-74 and 76 ultimately depend from Claims 1, 21, 41 and 59 and are allowable for at least similar reasons.

NEW CLAIMS

Claims 77-78 are new and are fully supported by the specification as filed, and namely Paragraphs [0014] and [0025] of the Application. As such no new matter has been added. Claims 77-78 are allowable for at least similar reasons as Claim 1.

ALLOWABLE SUBJECT MATTER


Claims 7, 17, 27, 37, 47 and 57 are allowed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: November 26, 2008

By: 
Michael D. Wiggins
Reg. No. 34,754

Justin H. Purcell
Reg. No. 53,493

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDW/JHP/mp